HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition no. 5306 (S/S) 2001
(Old no. 11924 of 2000)

Dharmanand Joshi S/o Sri Hari Krishan Joshi,
Principal, Inter College, Fafaut,
District Bageshwar. ---Petitioner.

Vs.

1. State of U.P. through Secretary,
   Department of Secondary Education,
   Govt. of U.P. Lucknow.
2. U.P. Secondary Education Services Selection Board,
   Allenganj, Allahabad through,
   Its Secretary,
3. District Inspector of Schools, Almora,
4. Accounts Officer, office of the
   District Inspector of Schools, Almora,
5. Committee of Management,
   Inter College, Dafaut, Distt. Bageshwar,
   Through its Manager. ---Respondents.

Ms. Pooja Banga, learned counsel for the petitioner.
Learned Standing Counsel for State of Uttaranchal.

Hon'ble M.M. Ghildiyal, J.

Heard Ms. Pooja Banga, learned counsel for the petitioner and learned Standing Counsel for the State / respondents.

By means of this writ petition, the petitioner has prayed to issue a writ in the nature of certiorari quashing the advertisement no. 1/99-2000 dated 24.12.1999 issued by the U.P. Secondary Education Service Selection Board, Allahabad published in the daily newspaper Amar Ujala on 01.01.2000 (annexure no. 6 to the writ petition) and all proceedings in pursuance thereto in so far as they pertain to the post of Principal, Inter College, Dafaut, Bageshwar. Second relief

sought by the petitioner is that he may be permitted to continue as Principal of the Inter College, Dafaut, Bageshwar.

On 15.03.2000, the Allahabad High Court passed order to the effect that if the petitioner is working on the post of Principal, he will be allowed to continue to function on the said post.

So far first prayer is concerned by which the petitioner has prayed to quash the advertisement with all proceedings pursuant thereto, this prayer has become infructuous, after creation of the State of Uttaranchal. So far the second prayer is concerned, the petitioner has already been permitted to continue vide interim order passed by the Allahabad High Court vide its order dated 15.03.2000. Neither the petitioner has contended that appointment is being made by the State of Uttaranchal nor the respondents has taken plea that they may be permitted to make appointment on the post of Principal, Dafaut, Bageshwar.

Learned counsel for the respondents has submitted that no process has started yet to appoint the Principal in the Govt. Aided Colleges in the State of Uttaranchal, as such, the petitioner shall continue till the process for appointment on the post of Principals is started in the Govt. Aided Colleges.

In view of the aforesaid statement made by the learned counsel for the respondents, writ petition has become infructuous and is dismissed as such.

(M.M. Ghildiyal, J.)

August 1, 2005:
NCM: